



**PATENT** 5760-20100/VRTS-0691

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:

10/789,902

Filed:

February 27, 2004

Inventors:

Spertus, et al.

Title:

**INTERNAL** 

**MONITORING OF** APPLICATIONS IN A

DISTRIBUTED MANAGEMENT **FRAMEWORK** 

Examiner:

Unknown

Group/Art Unit:

2141

Atty. Dkt. No:

5760-20100

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

B. Noël Kivlin Printed Name Signature Date

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of \( \) the references listed on the attached Form PTO-1449 and/or the additional information identified below in paragraph 3.

- $\boxtimes$ Pursuant to CFR §1.98(a)(2)(i), copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed.
- $\boxtimes$ A copy of each non-U.S. patent and/or non-U.S. patent application publication reference listed on the Form PTO-1449 is enclosed.
- The non-U.S. patent and/or non-U.S. patent application publication references listed on the Form PTO-1449 were previously cited in application serial no. to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.

I.	I his I	This Information Disclosure Statement is submitted:			
	a.		within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.		
	b.		after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:   the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.		
	c.		after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.		
2.	It is hereby certified:				
		that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty (30) days prior to the filing of the information disclosure statement;			
		was c foreig	ach item of information contained in this Information Disclosure Statement sited in a communication from a foreign patent office in a counterpart in application not more than three (3) months prior to the filing of the ment; or		
		was c foreig after i	o item of information contained in the Information Disclosure Statement cited in a communication from a foreign patent office in a counterpart in application or, to the knowledge of the person signing the certification making reasonable inquiry, was known to any individual designated in § c) more than three (3) months prior to the filing of the Statement.		
3.			deration of the following additional information (including any co-pending ndoned U.S. applications, prior uses and/or sales, etc.) is requested:		
4.	For each non-English language reference listed on the attached Form PTO-1449:				
		refere	nce is made to an English language translation submitted herewith, and/or		
			nce is made to a foreign patent office search report (in the English age) submitted herewith, and/or		
			nce is made to an English language translation of a foreign patent office		

# Application Serial No. 10/789,902 - Filed February 27, 2004

		reference is made to the concise explanation contained in the specification of the present application at page(s), and/or
		reference is made to the concise explanation set forth below:
5.		Applicant also offers the following comments for the Examiner's consideration:
6.		Also enclosed is a copy of a foreign search report citing these references.
7.		The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8.		Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.
	If any	required fees are missing, the Commissioner is authorized to charge said fees to
Meyert	tons, He	ood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-
20100/.	BNK.	
		Respectfully submitted,
		B
		B. Noel Kivlin Reg. No. 33,929 Attorney for Applicant(s)
KO' P. O. B Austin,		

Date: 5-10-05

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Form PTO-1449 (modified)

List of Patents and Publications
For Applicant's Information

ATTY. DKT. NO. 5760-20100

APPLICANT: Spertus, et al.

SERIAL NO. 10/789,902

**GROUP: 2141** 

# Disclosure Statement (Use several sheets if necessary) FILING DATE: February 27, 2004 U.S. PATENT DOCUMENTS FILING DATE EXAM. REF. DOCUMENT NUMBER DATE **NAME CLASS SUB** APPROPRIAT **INITIALS** DES. **CLASS** 6,405,327 06/11/2002 Sipple, et al. 5,655,081 08/05/1997 Bonnell, et al. FOREIGN PATENT DOCUMENTS REF. DOCUMENT NUMBER DATE **COUNTRY** CLASS TRANSLATIO EXAM. **SUB** YES/NO **INITIALS** DES. **CLASS** OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) **A**1 Rational Software Corporation; Rational PurifyPlus, Rational Purify, Rational PureCoverage, Rational Quantify; Installing and Getting Started; June 2003; Chapter 2, pgs. 31-52. A2 "Performance Analysis of Distributed Applications with ANSAmon"; B. Meyer, M. Heineken, and C. Popien; February 1995; Aachen University of Technology, Computer Science IV; Aachen, Germany.

### **EXAMINER:**

### DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.